

PATENT
Serial No. 09/414,454
Amendment in Reply to Final Office Action of November 2, 2005

REMARKS

Reconsideration of the present application and entry of the present amendment are respectfully requested.

By means of the present amendment, the specification has been amended to correct certain informalities noted upon review.

By means of the present amendment, claims 5, 18 and 31-33 have been amended to correct certain informalities noted upon review of the claims. Claims 5, 18 and 31-33 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents.

In the Office Action, claims 1-13, 15-19, 21-24 and 30-33 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 5,930,474 (Dunworth) in view of U.S. 6,741,188 (Miller). In response, the following remarks are presented. Applicant respectfully submit that claims 1-13, 15-19, 21-14 and 30-33 are patentable over Dunworth and Miller for at least the following reasons.

Dunworth is directed to an Internet organizer for accessing geographically and topically based information. As recited on column 8, lines 9-21, the user designates communities as "local"

PATENT

Serial No. 09/414,454

Amendment in Reply to Final Office Action of November 2, 2005

selected from a menu or a "list of geographic areas" (column 8, lines 37-38), such as "The Greater Los Angeles Area" as shown in FIG 9. Information related to the user selected geographic area is provided from a geography database 210 (FIG 3) that includes an image map file 425 (FIG 4) with maps of the user selected geographic area.

In stark contrast, the present invention as recited in independent claims 1 and 15, amongst other patentable elements, requires:

entering search criteria, including position information, for locating at least one hypertext document, wherein said hypertext document includes a geographic position information in a metatag, wherein said geographic position information relates to a business/residence address or server location. (Emphasis added)

Further, independent claim 7, amongst other patentable elements, requires:

receiving a client position information request from the client, wherein a first geographic position identifiable by the client and the search result for the search criteria is used for determining a geographic position of the client using the GPS client/server network. (Emphasis added)

These features are nowhere taught or suggested in Dunworth.

PATENT
Serial No. C9/414,454
Amendment in Reply to Final Office Action of November 2, 2003

In particular, on page 3 of the Final Office Action, the Examiner correctly noted that Dunworth fails to teach or suggest a hypertext document that includes "position information in a metatag," as recited in independent claims 1 and 15; and that Dunworth does not teach or suggest "determining a geographic position of the client using the GPS client/server network," as recited in independent claim 7.

It is respectfully submitted, that in addition to the above-noted deficiencies, Dunworth also does not teach or suggest using "geographic position identifiable by the client and the search result for the search criteria ... for determining a geographic position of the client using the GPS client/server network," as recited in independent claim 7.

Miller is cited in an attempt to remedy the deficiencies in Dunworth. It is respectfully submitted that Miller is not a proper prior art reference with respect to the present application, since the earliest filing date of Miller is October 22, 1999 which is after the filing date of October 7, 1999 of the present application.

Accordingly, it is respectfully submitted that independent

PATENT

Serial No. 09/414,454

Amendment in Reply to Final Office Action of November 2, 2005

claims 1, 7 and 15 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-6, 8-13, 16-19, 21-24 and 30-33 should also be allowed at least based on their dependence from independent claims 1, 7 and 15 as well as for the separately patentable elements contained in each of the dependent claims.

Dependent claims 6 and 11, as well as claims 9 and 21, also include patentable subject matter. In rejecting claims 6 and 11, column 12, lines 59-65 of Dunworth are cited. It is respectfully submitted that this section of Dunworth is completely silent and does not teach or suggest a hypertext document or a web page that "has a name based upon the geographic position information," as recited in claims 6 and 11. Rather, column 12, lines 59-65 of Dunworth merely teach that the generated HTML page includes a geographical area selected by the user. Including geographical areas in an HTML page does not teach or suggest that the name of such an HTML page is "based upon the geographic position information," as recited in claims 6 and 11.

Dunworth also does not teach or suggest "searching in accordance with longitude and latitude coordinates" as recited in

PATENT

Serial No. 09/414,454

Amendment in Reply to Final Office Action of November 2, 2005

claim 9, and similarly recited in claim 21, as correctly noted by the Examiner at the bottom of page 3 of the Final Office Action.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

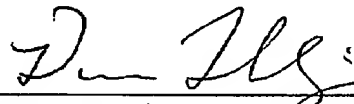
PATENT
Serial No. 09/414,454
Amendment in Reply to Final Office Action of November 2, 2005

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Please direct all future correspondence related to this application to:

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Respectfully submitted,

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